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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,713

02/07/2006

Kiyoyuki Masuzawa

1002.104

4031

95674

7590

06/07/2010

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EXAMINER

NGUYEN, THUKHANH T

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

06/07/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/567,713	Applicant(s) MASUZAWA ET AL.	
	Examiner Thu Khanh T. Nguyen	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (instant specification, pages 1 & 2) in view of Sagawa et al (US 5,672,363) and Clymer et al (US 3,957,408).

The admitted prior art discloses it is known in the art to produce sintered ferrite magnets by compression molding in a magnet field. The admitted prior art also discloses that wet processes are known wherein a heated slurry is injected into a compression die (instant specification, pages 1 & 2). It's also known in the art to provide magnetic field and compression in these processes as shown for example by Sagawa et al (col. 1, line 55 to col. 2, line 38). Sagawa et al also notes the wet process produces better orientation (col. 2, lines 29-30). However, the admitted prior art does not disclose a die with a plurality of cavities nor a unit for controlling the temperature of the die.

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It is conventional in the art to provide multiple cavities in a die as a means to increase efficiency and throughput. Furthermore, it is also known in the art to provide temperature control in such multicavity dies. Clymer et al, for example, notes that multiple cavity dies have long been known in the prior art (col. 1, lines 12-14) and discloses means for controlling the temperature of the dies is desirable (col. 1, lines 20-24).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify the admitted prior art by providing such means to improve the molding process as taught by Clymer.

Regarding claims 2 and 3, Clymer et al discloses a heater and flow paths in the die for heating (col. 4, lines 4-8 & 19-21), and a controller so that the proper temperature is maintained (col. 2, lines 9-11 – see, for example, the thermostat in Fig. 5).

Regarding claims 4-5, the admitted prior art indicates that the slurry is heated in the range of 40-90°C. Sagawa et al notes that the green compacts are cured at 120°C after pressing (col. 36, lines 23-26). One applying the teachings of Clymer et al to the processed of the admitted prior art would appreciate providing a heater that can operate in the range of 40-120°C so that the suggested temperatures can be provided.

4. The terminal disclaimer filed on 02/23/10 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of application 11/534,276 has been reviewed and is accepted. The terminal disclaimer has been recorded.

5. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Khanh T. Nguyen whose telephone number is (571) 272-1136. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TN

/Richard Crispino/
Supervisory Patent Examiner, Art Unit 1791